

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012**

December 16, 2008

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of the regular meeting minutes of December 2, 2008
 - B. Approval of the special meeting minutes of December 5, 2008
 - C. Approval of and authorization to execute the 2008 Tree City U.S.A. Application
 - D. Approval of and authorization to execute Resolution No. 561 - a resolution concerning bridge inspection responsibility by local government for compliance with National Bridge Inspection Standards bridge inspection contracts for March 2009 to March 2011
 - E. Approval of Final Acceptance and Donation of the Public Improvements at Chris Nikel Extended: Storm Water Conveyance System and Street Extension
 - F. Approval of bids received and award of the most advantageous bid to Admiral Express, Inc., for office supplies on a city-wide basis
 - G. Approval of bids received and award of the most advantageous bid to Professional Turf Products, for a utility cart spray rig
 - H. Acceptance of a Drainage And Utility Easement from St. John Health System, Inc. (S26 T19N R14E) (Project: ST0004)
 - I. Acceptance of a Drainage And Utility Easement from St. John Health System, Inc. (S35 T19N R14E) (Project #: ST0529)
 - J. Acceptance of three (3) Utility Easements from RLAND Development Group, LLC (S30, T18N, R14E) (Project: Berwick Fairways I)
 - K. Acceptance of a Utility Easement from E.A. Schermerhorn, B.K. Schermerhorn, Starlight Investments, LLC, Alan Davis and Joan Zappe Davis (S35, T19N, R14 E) (Project: Midfirst at Lynn Lane)
 - L. Acceptance of a Utility Easement from The Park at Adam's Creek Property Owner's Association, Inc. (S1, T18N, R14E) (Project: The Shops at Broken Arrow)
 - M. Acceptance of a Sewer Line Easement from St. John Health System, Inc. (S35 T19N R14E) (Project: ST0529)

- N. Acceptance of a General Warranty Deed from St. John Health System, Inc. (S26 T19N R14E) (Project: ST0004)
- O. Acceptance of a General Warranty Deed from St. John Health System, Inc. (S35 T19N R14E) (Project: ST0529)
- P. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
 - A. Presentation: FEMA CRS Rating Plaque to the City of Broken Arrow in recognition of the City's improved its National Flood Insurance Program (NFIP) Community Rating Service (CRS) Rating from a Level 8 to a Level 5
 - B. Presentation: Proclamation declaring the Importance of Extra-Curricular Activities in School
- 8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (approximately 7:00 p.m.)**
- 9. General Council Business**
 - A. Consideration and possible appointment of Jack Keeling, Jo Ellen Clow, and Joe Cook to fill three vacancies on the Downtown Advisory Board created by the resignations of Fred Dorrell, Roy Sturgeon, and Lauri Hancock
 - B. Consideration and possible appointment of a Planning Commission Member to the TIF Review Committee to consider a project and a tax increment district under the Local Development Act and submission of the name of one citizen along with 6 who were previously submitted, three of whom will represent the public at large
 - C. Consideration and possible appointment of representatives from Tulsa County, Wagoner County, Independent School District No. 3, Tulsa City-County Health Department, Tulsa Community College, Technology Center District and the Tulsa City-County Library System to the TIF Review Committee to consider a project and a tax increment district under the Local Development Act
 - D. Consideration and possible approval of a Consulting and Feasibility Study Services Agreement with Pinnacle Consulting Management Group, Inc., and authorization to execute Budget Amendment No. 7
 - E. Consideration and possible approval of a Resolution of Support for Kenosha Landing Limited Partnership to construct affordable elderly housing in Broken Arrow
 - F. Consideration, possible approval of and authorization to execute Resolution No. 558 - a resolution of necessity to condemn property located at 5700 South Lynn Lane, Broken Arrow, Tulsa County, Oklahoma, (9th Street Widening Albany Street to Omaha Street)
 - G. Consideration, possible approval of and authorization to execute Resolution No. 559 - a resolution of necessity to condemn property located in the northwest quarter of Section 36, Township 19 North, Range 14 East, Tulsa County, Oklahoma, (9th Street Widening - Albany Street to Omaha Street)

- H. Consideration, possible approval of and authorization to execute Resolution No. 560 - a resolution of necessity to condemn property located at 5751 South Lynn Lane, Broken Arrow, Tulsa County, Oklahoma, (9th Street Widening - Albany Street to Omaha Street)
- I. Consideration and possible approval of an across-the-board wage increase of 1% to employees covered by the 2008-09 agreement with the Communication Workers of America
- J. Consideration and possible approval of an across-the-board wage increase of 1% to employees not covered by a Labor Agreement

10. City Manager's Report

- A. Tax Increment Financing - East Broken Arrow
- B. Temporary Funding Subsidy for Battle Creek Golf Course Operations

11. Preview Ordinances

- A. An ordinance amending the Broken Arrow Code Chapter 6, Building and Building regulations; repealing all ordinances to the contrary; and declaring an emergency
- B. An ordinance amending Chapter 16, Article I, Section 16-4 of the Broken Arrow Code pertaining to Carrying Weapons; repealing all ordinances to the contrary; and declaring an emergency
- C. An ordinance creating Chapter 16, Article I, Section 16-22 of the Broken Arrow Code pertaining to Transporting a firearm improperly; repealing all ordinances to the contrary; and declaring an emergency
- D. An ordinance creating Chapter 23, Article I, Section 23-33 of the Broken Arrow Code pertaining to Unattended Children or Vulnerable Adults Left in Vehicles - Punishment; repealing all ordinances to the contrary; and declaring an emergency
- E. An ordinance creating Chapter 23, Article I, Section 23-34 of the Broken Arrow Code pertaining to Endangerment of a Highway Worker; repealing all ordinances to the contrary; and declaring an emergency
- F. An ordinance amending Chapter 23, Article II, Section 23-67.1 of the Broken Arrow Code pertaining to Driver of a motor vehicle approaching a stationary authorized emergency vehicle, wrecker or tow vehicle; repealing all ordinances to the contrary; and declaring an emergency
- G. An ordinance amending Chapter 23, Article II, Section 23-92 of the Broken Arrow Code pertaining to Operating a motor vehicle while impaired by alcohol or other substances prohibited; repealing all ordinances to the contrary; and declaring an emergency
- H. An ordinance amending Chapter 23, Article II, Section 23-93 of the Broken Arrow Code pertaining to Persons under age 21 driving under the influence of alcohol or other intoxicating substances; repealing all ordinances to the contrary; and declaring an emergency

12. Ordinances

- A. Ordinance No. 2998 - an ordinance amending Chapter 23, Article I, Section 23-24.1 of the Broken Arrow Code pertaining to Leaving the Scene of an Accident; repealing all ordinances to the contrary; and declaring an emergency

- B. Ordinance No. 2999 - an ordinance closing a Utility Easement on Lot 1 Block 3, The Shops at Broken Arrow, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded plat thereof, repealing all ordinances to the contrary, and declaring an emergency
- C. Ordinance No. 3000 - an ordinance closing a Utility Easement on Lot 1, Block 2, The Shops at Broken Arrow, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded plat thereof, repealing all ordinances to the contrary, and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

- 14. Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on contract negotiations concerning IAFF and Communication Workers' of America employee groups under 25 O.S. § 307(B)(2), and litigation concerning City of Broken Arrow v. Linda Ranson-Jacobs, et al., Wagoner County District Court Case Number CV-2008-785 under 25 O.S. § 307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. Adjournment

NOTICE:

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, 2008, at _____ a.m./p.m.

City Clerk